

**FLATHEAD COUNTY PLANNING BOARD
MINUTES OF THE MEETING
MARCH 9, 2011**

**CALL TO
ORDER**

A meeting of the Flathead County Planning Board was called to order at approximately 6:00 p.m. Board members present were Marie Hickey-AuClaire, Gordon Cross, Charles Lapp, Frank DeKort, Gene Shellerud, Jim Heim, Jeff Larsen and Bob Keenan. Marc Pitman had an excused absence. Allison Mouch represented the Flathead County Planning & Zoning Office.

There were 69 people in the audience.

**APPROVAL OF
MINUTES**

DeKort made a motion, seconded by Heim to approve the February 9, 2011 meeting minutes.

The motion passed by quorum.

**PUBLIC
COMMENT
(not related to
agenda items)**

Hickey-AuClaire took an unofficial tally by a show of hands of the audience as to how many people were in attendance for each file being considered. She gave a brief history of FZTA 10-02 up to the continuation of board discussion at this meeting. She emphasized public comment had been closed for the file and would not be heard during the consideration of that file. She said there would be another time for the public to comment on the file when heard in front of the commissioners and invited anyone who had a comment not related to agenda items to speak before the board.

Sharon Demeester, 415 Chestnut Drive, commented on the FZTA 10-02 file. She brought to the attention of the board the Riverdale Neighborhood Plan which she felt had a zoning designation which would cover what the application would cover. She read what she felt were the pertinent parts from the plan. She read a letter from the Ponderosa Estates Home Owners' Association which said she spoke for them and they were opposed to the application.

**CONTINUATION
OF BOARD
DISCUSSION
(FZTA 10-02)**

The public hearing was held on September 8, 2010. The public comment period has been closed for this item. The Board discussion will be continued and a recommendation may be made at this time

**BOARD
DISCUSSION**

Hickey-AuClaire summarized at length what had happened on the file so far for the audience.

Larsen voiced his concerns about permitted uses allowed in this type of zoning which included a food store, lodges, fraternal and social organizations, and administrative conditional uses allowed. He felt the board needed to look at if the application conformed to the statutory criteria. He said the applicant had listened to the boards' concerns and had tried to address them.

Lapp said I1-H light industrial was similar to this application. He gave examples on how they were similar and stated he wanted to make the zoning regulations simpler not more difficult.

Hickey-AuClaire agreed with Larsen on the permitted uses allowed and also agreed with Lapp that if they already had a zoning determination which would work, why not use it.

Cross brought up the fact it had been mentioned there was a 'hole' in the zoning and this application was an attempt to plug that 'hole'. He brought up alternatives, and ways the application could be amended. He felt the applicant had come up with a 'Christmas stocking' of uses and he struggled with all the available uses. The idea was generally good. He said they should have a stripped down application and most of the uses put under conditional uses.

The board discussed if they wanted to work with the application or vote it up or down. They also discussed the application of the zone to the whole county, and the possible ramifications of passing a vote of approval.

Mouch and the board discussed possible ways to amend the application for permitted uses, some of the businesses already located in the area, the greenbelt aspect of the application, the new zone being another 'tool in the tool box' to use, enforcement of things such as construction standards and possible conditional uses.

Heim asked the applicant where the list of uses in the application came from.

Marilyn Noonan, applicant, said the list came from applying it to a county wide area. More uses needed to be considered because it would cover the county.

The board discussed the possible reasons for the zone, how it

would be applied if areas were already zoned and how the conditional use permits would work, what was required for a conditional use permit and if it was possible to incorporate some of I-H1 zoning into this application. They discussed if they should make a motion to either make a recommendation to the commissioners or work on the application further.

**MAIN MOTION
TO MAKE A
RECOM-
MENDATION TO
THE COUNTY
COMMISSIONERS**

Lapp moved to make a recommendation to the commissioners at this meeting.

**BOARD
DISCUSSION**

Mouch clarified the procedure which needed to be followed.

The motion was withdrawn.

**MAIN MOTION
TO ADOPT
F.O.F.
(FZTA 10-02)**

Hickey-AuClaire made a motion seconded by Lapp to adopt staff report FZTA 10-02 as findings-of-fact. (from previous meeting – 9-8-10 Flathead County Planning Board Meeting)

**ROLL CALL TO
ADOPT F.O.F.
(FZTA 10-02)**

On a roll call vote the motion passed unanimously.

**MAIN MOTION
TO
RECOMMEND
DENIAL
(FZTA 10-02)**

Lapp made a motion seconded by DeKort to adopt Staff Report FZTA 10-02 and recommend denial to the Board of County Commissioners.

**BOARD
DISCUSSION**

The board discussed how the greenbelt zone would come back before the board if it was wanted as a zoning option in the future.

Larsen said he would vote no because he felt they would be able to make the application to work.

Shellerud asked for clarification on the motion and Larsen's position.

Mouch stated the board adopted findings-of-fact which supported the application which did not support a

recommendation for denial.

Mouch and the board discussed options for continuing.

Cross said he felt the findings were not strong and gave an example which supported his statement.

DeKort said he would vote for the motion, he felt it needed more work. He had issues with frontage roads not being included.

DeKort and Heim discussed if frontage roads had been brought up.

Heim said they were discussing the same issues over. He felt it was not ready to be supported the way it was. He thought all the meetings and discussion which had been held so far was make the application ready for a vote. He would vote for a motion to deny but hated to see the idea killed. He wanted to see some type of greenbelt zoning established.

Cross said he would vote to deny and if the commissioners wanted the board to work on the application more, then they would send it back to the board with direction on how they wanted it worked on.

**ROLL CALL TO
RECOMMEND
DENIAL
(FZTA 10-02)**

On a roll call vote the motion passed 6-2 with Larsen and Heim dissenting.

**BOARD
DISCUSSION**

Hickey-AuClaire reminded the audience there would be another time to comment at the commissioners' hearing.

The board took a 5 minute break.

**SWAN PEAK
HOMESTEAD
(FPPUD 10-01)**

A request by A&C Horn Trust for Preliminary Plat approval of Swan Peak Homestead, a residential 17-lot Major Subdivision and Planned Unit Development on 123.8 acres. The Preliminary Plat does not include Eva Gates homestead parcel (Tract 4BAA, 3.703 acres) as it is not part of the subdivision but is included in the PUD application. Lots in the subdivision are proposed to have individual wells and septic systems. The property is located at 1055 Bigfork Stage Road.

STAFF REPORT

Allison Mouch reviewed staff report FPPUD 10-01 for the board.

**BOARD
QUESTIONS**

Lapp asked if the 53 acres were removed from the plat, would the PUD still go forward.

Mouch explained how the PUD worked. The subdivision hinged on whether or not the PUD was approved as proposed.

DeKort clarified what he understood to be the reason the applicant applied for a PUD and asked for further clarification.

Mouch explained further.

Larsen wanted to make sure the conservation easement was something the applicant wanted, not what the county required.

Mouch agreed and explained why it was included.

Mouch and Cross discussed at length figures used in calculations and how the PUD applied to the CC&Rs and architectural review.

The board and Mouch discussed specific issues with the CC&Rs concerning further subdivision on lots owned by the developer, and what the remaining space could be used for.

**APPLICANT
PRESENTATION**

Eric Mulcahy, Sands Surveying, represented the applicant and introduced Jim Taylor, applicant, who wanted to address the board.

Taylor stated their goal was to have a project which would be supported by the area. He went on to explain the steps which had been taken in order to assure that. He explained what their intention was with the PUD.

Mulcahy and Taylor gave a history and explanation of the application and how it had changed during the time he had been working with them. The explanation included the PUD and inclusion of draft documents into the application such as the CC&Rs.

**BOARD
QUESTIONS**

The board, Mulcahy, Taylor and staff discussed how much additional paving the applicant agreed to and the reasons why and the safety and use of Bigfork Stage Road to Hwy 83 to the north of the application.

Peter Leander, legal representation for the applicant, explained how he was a liaison of sorts to the community to help solve potential problems at the start of the project instead of at the end. He spoke to the dust concern on Bigfork Stage Rd and potential solutions.

Mulcahy and Heim discussed a public comment letter concerning individual septic systems.

Lapp, Mulcahy and Taylor discussed the conservation easement and specific language in the application.

Leander, Mulcahy and Taylor talked about how the acreage size was determined.

Cross and Mulcahy discussed how the PUD and zoning worked together.

**AGENCY
COMMENTS**

None.

**PUBLIC
COMMENT**

Shelly Gonzales 4747 Foothill Road represented BLUAC. The applicant had met with the community several times. She summarized how the application had changed over time and how the applicant had accommodated the public opinion. She brought up the issue of dust on the road heading north. She was generally in favor of the application.

Cross asked for clarification from Gonzales on the issue of the additional paving.

Keenan wanted to clarify his concern was safety on the north side of Bigfork Stage Rd.

Gonzales suggested there might be a way to bring up the issue with the county since it was a county road.

Jay Whitney, 532 W 2nd Street, Whitefish, had concerns about ground water, and traffic on Bigfork Stage Rd. He was generally in favor of the application.

Ramona Niewoehner, 1388 Bigfork Stage Rd, had a concern about traffic. She was generally against the application

STAFF

Mouch said the road conditions to the north of the property was

REBUTTAL

a concern which consistently rose. She explained why there was no comment from the Road and Bridge Department concerning traffic. She addressed the provision of easements for water and sewer in the future proposed in public comment as well as the calculation for lots.

Larsen and Mouch discussed rewording on the condition which concerned the easement.

**APPLICANT
REBUTTAL**

Taylor felt the project was supported and didn't want to rebut that.

**BOARD
DISCUSSION**

Hickey-AuClaire briefly clarified the correct process for the application to follow.

**MAIN MOTION
TO ADOPT
F.O.F.
(FPPUD 10-01)**

Keenan made a motion seconded by Shellerud to adopt staff report FPPUD 10-01 as findings-of-fact.

**BOARD
DISCUSSION**

The board and staff briefly discussed which findings supported which conditions.

The board and Mouch discussed at length if it was clear in the findings the lot sizes were not rounded up to get more lots and if not, how that issue could be remedied.

**SECONDARY
MOTION TO
(Amend F.O.F. #4)**

Cross motioned and Larsen seconded to amend Finding of Fact #4 as follows:

As proposed, the PUD may be of benefit to the surrounding area by directing the *approximate* intensity of development currently allowable under existing zoning to an area of the property more efficiently served by public facilities and utilities, limiting impacts resulting from development.

**BOARD
DISCUSSION**

None.

**ROLL CALL TO
(Amend F.O.F. #4)**

On a roll call vote the motion passed unanimously.

**BOARD
DISCUSSION**

None.

ROLL CALL TO

On a roll call vote the motion passed unanimously.

**ADOPT F.O.F.
(FPPUD 10-01)**

**MOTION TO
RECOMMEND
APPROVAL
(FPPUD 10-01)**

Cross made a motion seconded by Larsen to adopt Staff Report FPPUD 10-01 and recommend approval to the Board of County Commissioners.

**BOARD
DISCUSSION**

Cross suggested a proposed amendment to condition #5.

The board, Mouch, Taylor and Leander discussed at length the proposed amendment concerning open space.

**SECONDARY
MOTION TO
(Amend
CONDITION #5)**

Cross motioned and DeKort seconded to amend condition #5 as follows:

The PUD Final Plan shall provide satisfactory proof that proposed aspects of open space have been satisfied. ~~Open space in the amount of 61.65 acres shall be set aside as proposed by the applicant and reviewed as follows:~~

~~a. 53.594 acres shall be deeded to Montana Land Reliance and placed under permanent conservation easement in accordance with the draft Deed of Conservation Easement document reviewed by this office. The Deed of Conservation Easement shall be filed and recorded prior to final plan submittal and review. All land held in conservation easement shall be identified on the face of the final plan.~~

~~b. 8.056 acres of open space shall be dedicated to meet the parkland requirements in found in Section 4.7.26 of the subdivision regulations, and shall be clearly identified on the face of the final plan.~~

**BOARD
DISCUSSION**

None.

**ROLL CALL TO
(Amend
CONDITION #5)**

On a roll call vote, the motion passed unanimously.

**BOARD
DISCUSSION**

Lapp discussed issues concerning the condition on sprinklers in the homes. He proposed the elimination of condition #7.

SECONDARY

Lapp motioned and Larsen seconded to strike condition #7

**MOTION TO
(Strike
CONDITION #7)**

**BOARD
DISCUSSION**

The board discussed if the fire department decided Condition #7 and had the power to enforce the condition, if the applicant was able to have a smaller holding tank on the condition the homes had sprinkler systems, and if removing the condition would affect the PUD. They also discussed the lack of a check system to enforce the condition, the relation of the conditions of the PUD to the preliminary plat application and the thought the conditions should be more general concerning fire suppression. They also talked about what was considered reasonable fire suppression given the current conditions and area and the compromise between the applicant and the fire department.

**ROLL CALL TO
(Strike
CONDITION #7)**

On a roll call vote the motion failed due to a split vote 4-4 with DeKort, Cross, Hickey-AuClaire and Heim dissenting.

**BOARD
DISCUSSION**

The board discussed if it was necessary to amend the condition concerning the 17 lots, and what the CCRs allowed as far as future subdivision.

The board and Taylor also discussed at length the eleven points suggested for inclusion by the Fish Wildlife and Parks, if they were necessary and if other parts of the application covered the concerns adequately.

**ROLL CALL
TO
RECOMMEND
APPROVAL OF
(FPPUD 10-01)**

On a roll call vote the motion passed unanimously.

**MAIN MOTION
TO ADOPT
F.O.F
(FPP-10-02)**

Cross motioned and Larsen seconded to adopt staff report FPP-10-02 as findings of fact.

**BOARD
DISCUSSION**

Lapp suggested a typo in Finding #3 should be corrected as follows:

Finding #3 - Impacts on local services would be acceptable with the imposition of standards conditions because lots within the proposed subdivision will be served by individual well and septic

facilities, will utilize **public contract** haul services and a centralized mail location, will be served by the Bigfork Fire District, Volunteer Ambulance and County Sherriff's Department in the event of an emergency, and will have access to public utilities extended underground in conformance with the applicable regulations.

Hickey Au-Claire asked for clarification concerning the condition about a bus stop for school children.

Cross voiced a concern concerning finding #17 about it implying without sprinklers the public health and welfare was at risk.

**SECONDARY
MOTION TO
(Strike F.O.F.
#17)**

Cross motioned and Heim seconded to strike finding of fact #17.

**BOARD
DISCUSSION**

The board, Mulcahy and Mouch discussed the role a fire hydrant placed in the subdivision would play in the fire suppression system, why it was written the way it was and possible ways to amend the condition instead of striking it.

**ROLL CALL
VOTE TO
(Strike F.O.F.
#17)**

On a roll call vote, the motion passed 6-2 with Shellerud and DeKort dissenting.

**BOARD
DISCUSSION**

Lapp asked for clarification on finding #9 which concerned impacts to potential historic features on the site.

The board and Mouch briefly discussed the safety of Bigfork Stage Road and if they needed to add or amend any findings of fact to reflect the issue and which findings might be an option.

**ROLL CALL TO
ADOPT F.O.F
(FPP-10-02)**

On a roll call vote, the motion passed unanimously.

**MAIN MOTION
TO
RECOMMEND
APPROVAL
(FPP 10-02)**

Heim made a motion seconded by Shellerud to adopt Staff Report FPP 10-02 and recommend approval to the Board of County Commissioners.

**SECONDARY
MOTION TO
(Amend
CONDITION #19)**

Cross made a motion seconded by Lapp to amend Condition #19 as follows:

The applicant shall be required to pave 354 feet of Bigfork Stage Road; application of paving shall either continue from the end of the existing pavement south of the subject property, ~~or shall be applied along the length of Bigfork Stage upon which the subdivision fronts.~~

**BOARD
DISCUSSION**

Cross felt that requirements should be no more or less than what was required through the subdivision regulations.

Lapp commented on the difference between requiring a roadway be paved and requiring the road be reconstructed or brought up to County Road and Bridge standards.

The board discussed the formula for required paving and where that paving should be situated.

**ROLL CALL TO
(Amend
CONDITION #19)**

On a roll call vote, the motion passed unanimously.

**BOARD
DISCUSSION**

Lapp and Mouch discussed if there was a way to combine Condition #21 and Condition #23 and possible wording.

Lapp discussed the deeding of the land to the Montana Land Reliance and suggested the applicant double check his wording. He also discussed the similarity between Condition #26 and Condition #3.

**SECONDARY
MOTION TO
(strike
CONDITION #26)**

Lapp motioned and Larsen seconded to strike Condition #26 due to redundancy with Condition #3.

**BOARD
DISCUSSION**

The board discussed if the location of a hydrant should be located on the final plat, if the applicant needed both a hydrant and a pump, and the fact a better design may be available in the future.

**ROLL CALL TO
(Strike
CONDITION #26)**

On a roll call vote, the motion passed unanimously.

**SECONDARY
MOTION TO
(Amend
CONDITION #23)**

Cross made a motion seconded by DeKort to amend Condition #23 as follows:

The 53.594 acres of open space ~~to be voluntarily~~ placed under permanent conservation easement with Montana Land Reliance shall be identified on the face of the final plat. ~~Proof that a formal Deed of Conservation Easement has been filed and recorded with the Flathead County Clerk & Recorder shall be submitted with the final plat application materials.~~

**BOARD
DISCUSSION**

The board and Mouch discussed the procedure between the PUD and preliminary plat applications.

**ROLL CALL TO
(Amend
CONDITION #23)**

On a roll call vote, the motion passed 7-1 with Shellerud dissenting.

**BOARD
DISCUSSION**

Shellerud asked if the applicant would consider actually building a bike path because they are difficult to build later.

Mouch explained they were not required to build a bike path and had an easement available if the county chose to build a bike path through the property in the future.

**ROLL CALL
VOTE TO
RECOMMEND
APPROVAL
(FPP10-02)**

On a roll call vote, the motion passed unanimously.

**BOARD
DISCUSSION**

Hickey-AuClaire reviewed the process the application would go through from tonight.

The board took a 5 minute break.

**FAITH BAPTIST
CHURCH
(FZC 10-08)**

A Zone Change request in the Evergreen Zoning District by Faith Baptist Church; Clint Theline, Pastor. The proposal would change the zoning on .65, from R-2, (One-Family Limited Residential) and B-2, (General Business) to B-2, (General Business). The property is located at 108 West Reserve Drive.

STAFF REPORT

Allison Mouch reviewed staff report FZC 10-08 for the board.

BOARD

None.

QUESTIONS

APPLICANT PRESENTATION

Dawn Marquardt represented the applicant. She was the technical rep for the church in filling out the application. She felt the zone change was identical to other zone changes she had represented before the board.

BOARD QUESTIONS

The board and Marquardt discussed the motivation behind the zone change request which included a question with the current rear set back, the limitations of the current zoning, and how long the property had been a church.

AGENCY COMMENTS

None.

PUBLIC COMMENT

Tammy Amaker 102 West Reserve Drive, was generally against the application.

Sandra Sievers, 113 Ardell Drive, She was generally against the application.

Edward Wolf, 95 West Reserve, was generally for the application.

Noah Bodman, 502 2nd Ave E, appearing for property owner Richard Sauerbaier, 115 Ardell Drive, was generally against the application.

Brent Wise 124 Ardell Drive, was against to the application.

Linda Connors, 30 Hillcrest Drive, was speaking as a citizen of Flathead County. She also wanted the board to know she represented the applicant concerning CUP litigation with Sauerbaier. She was generally for the application.

Clint Theline, 1395 Lake Blaine Road, applicant, gave a history of the property, was for the application.

The board and Theline discussed what other property the church owned, if they would still ask for the zone change if they were in compliance with their CUP, and what would happen if the church rented out space within the building.

Tammi Fisher, 1946 Teal, was against the application.

Robbie Sher, 125 E Nicholas, was for the application.

Levi Blasdel, 1308 1st Ave w, was for the application.

Luke Martinez, 183 Blue Crest Drive, was generally for the application.

Steven Rutledge, 195 Wilson Heights, was generally for the application.

Joeann Foster, 1314 Trumble Creek Rd, was generally for the application.

Shirley Theline, 1395 Lake Blaine Rd, was generally for the application.

Jenny Blasdel, 1417 Lake Blaine Rd, was generally for the application.

Lytawnie Simonson, 675 7th Ave WN, was generally for the application.

Lindy Rutledge, 195 Wilson Heights, was generally for the application.

Amy Hess, 1105 7th Ave E, was generally for the application.

Robert Hess, 1105 7th Ave E, was generally for the application.

Brad Blasdel, 1417 Lake Blaine Rd, was generally for the application.

**STAFF
REBUTTAL**

None.

**APPLICANT
REBUTTAL**

Marquardt said there was a lot of issues and history in the area and felt none of that should be looked at as part of the zone change. It had to be addressed as a zone change and the question asked, did it apply to statute.

**MAIN MOTION
TO ADOPT
F.O.F.
(FZC 10-08)**

Cross made a motion seconded by Heim to adopt staff report FZC 10-08 as findings-of-fact.

BOARD

Hickey-AuClaire and Mouch discussed the history of zoning

DISCUSSION

violations of the property, the procedure followed by the Planning Office concerning the violations, and the steps which had been taken to attempt to remedy the situation. They also discussed a response from Kalispell concerning a master plan map amendment and the applicant's concerns about awareness being heightened due to the amendment in the area by the county last fall.

The board and Mouch discussed if other residences in the area were too close to the setbacks as well and that they were most likely grandfathered. They also discussed other zone changes which had businesses considered grandfathered at the time they asked for the zone change.

Cross discussed finding #1 and #2 concerning policies and how the economy had changed, in his mind, some definitions of what was considered 'adequate'. The question was not if the property should be changed, but when. He questioned if finding #1 was entirely correct. The map was cut and dried, but the text could be interpreted differently. He also spoke about the different uses around the properties which had already gone through a zone change.

Larsen said the board needed to evaluate the application under the criteria for a zone change. The other issues such as violations, and setbacks should not factor into the evaluation. He went through the findings and related one by one which ones he felt were adequate and which ones were not. He felt they should look at the findings, not the violations as to whether or not they should grant the zone change.

The board discussed the transition and history of the area, if the church could operate fine without the zone change, the nature of the area and whether or not the board had the right to deny the zone change because the board thought there was too much commercial property. They also discussed what would be allowed on the property if the zone change was approved, the possible increase of traffic on the road and the withdrawn proposed map amendment which would have rezoned the area.

Mouch said applicants usually come in for a zone change with a specific use in mind. Staff was obligated to review the request taking into consideration all possible uses the zone change would allow and the impacts which might result.

Lapp and Mouch discussed the finer points of CUPs and the fact everything at a later date could be changed, and if the zone change would eliminate the violation, change lighting compliance, or the buffer zone.

DeKort discussed his disagreement with several of the findings related to the road and infrastructure and explained his reasons why. He felt if this application passed, it would snowball into more applications. They had a clear line between residential and industrial right now. Unless the infrastructure changed, he did not feel it benefited the general health and welfare of the county.

Heim said the Montana Department of Transportation (MDOT) would be more likely to fix the road if there were more commercial properties on it. They would fix the road after the traffic was too high.

Cross thought DeKort's concerns were valid. He wanted to speak about finding #9 and asked what the district was. He was concerned with permitted uses and conditional uses which might be no longer compatible with a residential district. He felt increasing the commercial use would encroach on the residential districts nearby. He felt arguments could be made against some of the findings and went on to list several findings and possible arguments against them.

Heim reiterated if the area was more commercial, the MDOT would look closer at the road and improve it accordingly.

Cross and Heim discussed the fact the area was headed toward commercial, it was a matter of when.

Lapp said the Board of Adjustment must have felt the applicant did not meet all the criteria for a zoning variance since they did not approve the application. He said again, they could operate in the current zoning the way they were now. He felt it was a tough call when the board saw a transitioning area. He quoted the CUP which was granted the applicant to operate as a church and said they could continue to operate as a church given the current zoning in place. So the board was not harming them by not approving the zone change.

Cross asked if the board backed off on their deliberation, would the applicant have enough room to back off on the zone change, and make all the litigation and other stuff go away.

Linda Connors said that was not the issue. There were two different issues. What Lapp said seemed to be exactly opposite from what Larsen said earlier which was legally, the board didn't consider whether the applicant could or couldn't have a CUP, are in compliance or aren't in compliance with their CUP. The applicant was asking for a zone change. They were adjacent to commercial property, that commercial property could be developed into any permitted or conditional use permitted under B-2 zoning if it was approved by the board. With a CUP the applicant only had one permitted use for the property which was on a commercial corridor, adjacent to commercial properties. The immediate use of the property would continue to be as a church unless economic circumstances necessitated the consideration of other, alternative uses for the building.

Cross and Connor discussed if the application was turned down, didn't it put the applicant between a rock and a hard place concerning their violation. They also very briefly discussed if the findings were supported.

Lapp recounted past applications in which the board felt they should have looked at the applications more closely for long term ramifications of the decision.

Heim said again this was a commercial corridor and they needed to make it commercial. He asked if other people applied for zone changes in the future from the area, was the board going to deny their applications.

Hickey-AuClaire said the area was tending toward commercial and would happen sometime. She understood what the board had said so far, and they did need to judge off the criteria. She summarized the motion the board had made so far.

The board discussed the process they needed to follow from this point.

Shellerud wanted to amend finding of fact #7 to address the fact there were uses in B-2 which could have a major impact on traffic.

Cross motioned and Larsen seconded to postpone discussion until the 4/13/11 Planning Board meeting.

**MAIN MOTION
TO CONTINUE
DISCUSSION**

**UNTIL 4/13/11
MEETING**

**ROLL CALL TO
CONTINUE
DISCUSSION
UNTIL 4/13/11
MEETING**

On a roll call vote the motion passed 6-2 with Heim and Lapp dissenting.

**COMMITTEE
REPORTS**

Cross said committee B had not met yet. He said a meeting with Alex Hogle had yet to be set.

Hickey-AuClaire said Committee A had turned into the Growth Policy workshops and were scheduled to meet after this meeting, but given the hour, that meeting would not occur.

OLD BUSINESS

None.

NEW BUSINESS

Cross asked why there were no staff recommendations on either of the staff reports.

The board briefly discussed if they had asked for the change.

Mouch said it was a directive handed down by her superiors with regard to those reports specifically. She said the new subdivision regulations which would go into effect in April specifically stated staff would give a recommendation to the board.

Hickey-AuClaire reviewed future workshops for the board.

ADJOURNMENT

The meeting was adjourned at approximately 11:50 pm. on a motion by Keenan. The next meeting will be held at 6:00 p.m. on April 13, 2011.

Marie Hickey-AuClaire, Chairman

Donna Valade, Recording Secretary

APPROVED AS SUBMITTED/CORRECTED: 4 / 13 / 11